



Acton Board of Health

472 Main St.
Acton, MA 01720
Phone: (978) 264-9634
Fax: (978) 264-9630
Email: Health@acton-ma.gov



Public Health
Prevent. Promote. Protect.

Doug Halley, Health Director

March 2, 2009

D.H.
3/2/09

Owner of Record
Endless Summer
7 Quarry Rd
Acton, MA 01720

To Whom It May Concern:

It has been found during an annual Hazardous Materials Control Bylaw inspection that the Owner/Operator of Record of 7 Quarry Rd, Acton, MA 01720 is not in compliance with the conditions described within the current Hazardous Materials Control Bylaw permit and/or Hazardous Materials Control Bylaw regulations.

Critical Violations

The following violations must be corrected or discussed with an agent of the Acton Board of Health with in **14 days** from the receipt of this order letter.

3.2.2

A list of daily amounts stored, used or generated and estimate of yearly throughput of all hazardous materials and waste and special waste to be used, stored or generated on the site, and copies of pertinent Material Safety Data Sheets.

3.5.1e

The storage area shall be enclosed with a permanent dike of impervious construction providing a volume of at least 100% of the maximum volume of the largest single container or tank plus 10% of the total storage capacity.

3.5.1b

The proposed storage, use or generation system shall comply with all local, state and federal regulation. Specifically: containers not labeled.

3.5.1b

The proposed storage, use or generation system shall comply with all local, state and federal regulation. Specifically: no description of materials or wastes on containers.

3.1.5e

All hazardous materials or wastes or special wastes to be stored above ground shall be stored in product tight containers on an impervious, chemical resistant surface, under cover and sheltered from the weather unless otherwise specified by the Board. Specifically: containers not covered or sealed.

2.4.3

Collection and disposal of contaminated material shall be conducted by a handler that is licensed by the DEP.

3.7

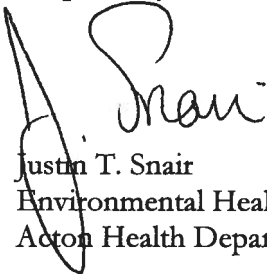
Throughout the permit period, owners, users, generators, or operators shall keep copies of all Hazardous Waste Transport Manifests on-site, as required under the Resource Conservation and Recovery Act 42 U.S.C., Section 6901 et seq. and the Massachusetts Hazardous Waste Management Act MGL Chapter 21C, 315 CMR, Section 2.04. If a hazardous waste generator is exempt from the manifest requirements sufficient proof of a proper disposal method shall be maintained.

You have the right to request an appeal hearing before the Acton Board of Health. Any appeal request must be received, in writing, within seven (7) days of receipt of this letter.

Failure to comply with the conditions set forth in this order may result in additional penalties and/or revocation of your current The Town of Acton Hazardous Materials Control Permit.

If you have any questions, please contact me at (978) 264-9634.

Respectfully;

A handwritten signature in black ink, appearing to read "Justin T. Snair". The signature is written in a cursive, flowing style. The first letter "J" is large and loops around the first part of the name. The last name "Snair" is written in a similar cursive style.

Justin T. Snair
Environmental Health Agent
Acton Health Department.



Acton Board of Health

Hazardous Materials Management Program

Site Name: Endless Summer

Date: 2/12/2009

Number: 7 Street: Quarry Rd

1. Storage Requirements

Violation	Regulation	Bylaw
<input checked="" type="checkbox"/>	No 110% secondary containment	3.5.1.e
<input type="checkbox"/>	2nd Containment not free of liquid	3.5.1.e
<input type="checkbox"/>	Containment not in good condition	3.6
<input checked="" type="checkbox"/>	Containers not Labeled	3.5.1.b
<input type="checkbox"/>	Accumulation date not indicated	3.5.1.b
<input checked="" type="checkbox"/>	No Description of HM/HW contents	3.5.1.b
<input type="checkbox"/>	Materials and Wastes not separate	3.5.1.b
<input checked="" type="checkbox"/>	Containers not covered/sealed	3.5.1.e
<input type="checkbox"/>	AST base not stable, level, impervious	3.5.1.e

2. Safety

Violation	Regulation	Bylaw
<input checked="" type="checkbox"/>	MSDS not available	3.2.2
<input type="checkbox"/>	First Aid kit not stocked	
<input type="checkbox"/>	PPE not stocked	
<input checked="" type="checkbox"/>	Emergency Procedures Not Posted	
<input type="checkbox"/>	Spill kits not stocked	

3. Spill/Discharge/Abnormal Loss

Violation	Regulation	Bylaw
<input type="checkbox"/>	Discharge, Unpermitted	2.1.1
<input type="checkbox"/>	Discharge within AQ Zone 1,2,3	2.1.2
<input type="checkbox"/>	Failure to report discharge	2.1.5
<input type="checkbox"/>	Spills not contained	2.3
<input type="checkbox"/>	Improper disposal of waste	2.4.1
<input checked="" type="checkbox"/>	Licensed Waste hauler not used	2.4.3

4. Training

Violation	Regulation	Bylaw
<input type="checkbox"/>	No HM/HW spill response training	
<input type="checkbox"/>	No training in HM/HW handling	

5. Record Keeping

Violation	Regulation	Bylaw
<input checked="" type="checkbox"/>	Uniform Waste Manifests not available	3.7
<input checked="" type="checkbox"/>	Throughput records not available	3.2.2
<input type="checkbox"/>	Abnormal loss of HM/HW found in records	

no 2nd containment available. 25 gals gas stored on site not disclosed. 25 gals of waste not on found on site

Critical Violations: 6

All critical violations must be corrected with in 14 days from the date of receipt of this notice. In accordance with Town of Acton Hazardous Material Control Bylaw 6.7, the owner of record is hereby accessed a penalty of 0

Minor Violations: 2

All minor violations must be corrected/addressed with in 30 days from the date of receipt of this notice. Failure to comply may result in fines and/or revocation of permit.

You have the right to request an appeal hearing before the Acton Board of Health. Any appeal request must be received by the Acton Board of Health, in writing, with in 7 days from the date of receipt of this notice.


Board of Health Agent

Site Representative

C. Facility Site Plan/Storage Map

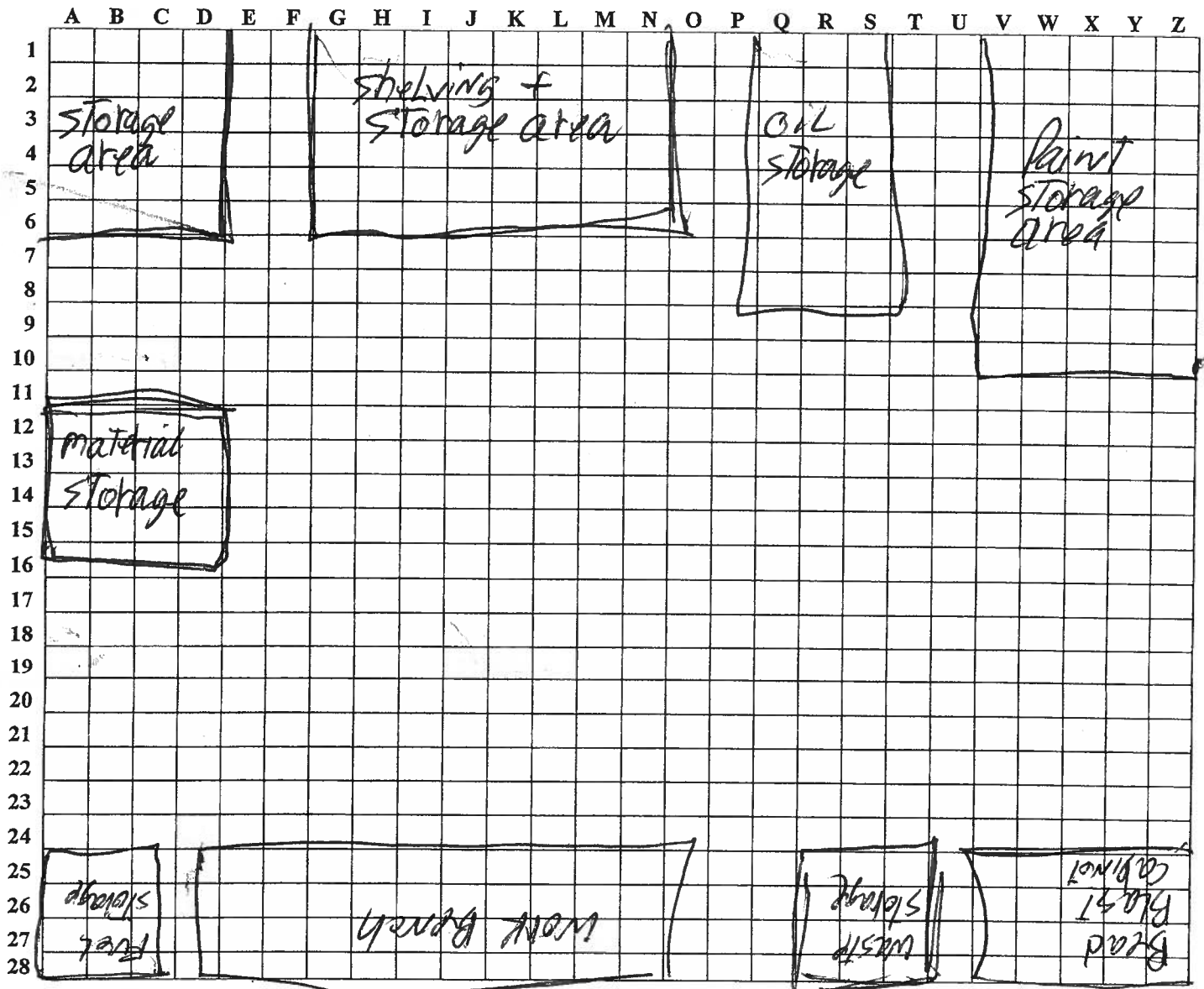
Prepare and submit with this Registration Form a simple site map which shows the following information:

- North direction • Street(s) adjacent to facility • Electrical, water, and gas shutoff valves
- Basic floor plan for each building containing hazardous materials/wastes which indicates building entrance(s) and hazardous material/waste storage locations (use grid locations or assign a code - A, B, C, etc. - to clearly identify each storage location for use in the above inventories).

Site Address: 7 QUARRY RD.

City: ACTON

Date Map Drawn: 3/14/09



D. Endorsement

I declare that the above information is true and correct to the best of my knowledge. I agree to comply with all applicable regulations regarding storage, handling, and disposal of hazardous materials and hazardous wastes.

Dennis Pacy
Owner/Operator's Name (Print)

Dennis Pacy
Owner/Operator's Signature

3/19/09
Date

----- Do Not Complete below This Line -----

TOWN OF ACTON
HAZARDOUS MATERIALS CONTROL BYLAW

RECEIVED

April 1, 2009

Due \$140

MAR 20 2009

Endless Summer Corvette Restoration
2,4,12
7 Quarry Road
Acton, MA 01720

Category
ACTON BOARD OF HEALTH

Site Address

7 Quarry Road

HAZARDOUS MATERIALS CONTROL PERMIT RENEWAL APPLICATION

Categories

- | | |
|--|--|
| 1. Hazardous Waste Generator (\$65) | 2. Sm. Hazardous Waste Generator (\$45) |
| 3. Hazardous Materials Generator (\$65) | 4. Hazardous Materials User (\$45) |
| 5. Discharge Permit (\$140) | 6. Remediation Permit (\$140) |
| 7. Hazardous Waste User (\$65) | 8. Haz. Mat. Storer Large Industry (\$235) |
| 9. Haz. Mat. Storer Small Industry (\$160) | 10. Haz. Mat. Storer Large Retail (\$170) |
| 11. Haz. Mat. Storer Small Retail (\$140) | 12. Haz. Waste Storer Sm. Industry (\$45) |
| 13. Haz. Waste Storer Retail (\$45) | 14. Haz Waste Storer Lge. Industry (\$65) |

Provide the following information under the authority of the General Laws of the Commonwealth of Massachusetts, Chapter 94, Section 305A, and Chapter 3, Section 5.

ESTABLISHMENT NAME: Endless summer corvette Restoration

ESTABLISHMENT ADDRESS: 7 Quarry Rd.

ESTABLISHMENT TELEPHONE: (978) 635-0559

OWNERS/CORPORATE OFFICERS: DENNIS Pacy

ADDRESS: 7 Quarry Rd.

TELEPHONE: _____

ON-SITE MANAGER: MON - SAT. 9:00 AM - 7:00 PM

OPERATING SCHEDULE: Fuel ranged < 55 Gals

Maximum Potential Quantity of Materials: Gals/Lbs Stored 25-40 **Used** Varies 1-5

Maximum Potential Quantity of Wastes: Gals/Lbs Stored 10 **Used** Varies 1-5

Pursuant to the General Laws of Massachusetts, Chapter 62C, Section 49A, I certify under the pains and penalties of perjury that I, to the best of my knowledge and belief, have filed all state tax returns and paid all state taxes required under law.

Dennis Pacy
Signature of Owner/Applicant

S.S.I or F.I.N. Number

3/14/09
Date

Please remit to Acton Board of Health, 472 Main Street, Acton, MA 01720
No Later Than April 30, 2009

5/1/2009

Expires 5/1/10

Paid: \$140

**TOWN OF ACTON
PERMIT
HAZARDOUS MATERIALS CONTROL BYLAW**

Endless Summer Corvette Restoration, 7 Quarry Road , Acton, MA 01720

Is hereby granted a permit to store and use Hazardous Materials at **7 Quarry Road** Acton, MA 01720. This permit is granted with the conditions as noted on the attached list of conditions assigned to your facility.

Permit Categories: 2,4,12

*See below explanation of permit categories

HAZARDOUS MATERIALS CONTROL PERMIT CATEGORIES AND FEES

<u>Category</u>	<u>Initial</u>	<u>Renewal</u>
1. Large Hazardous Waste Generator	\$160	\$65
2. Small Hazardous Waste Generator	\$60	\$45
3. Hazardous Materials Generator	\$160	\$65
4. Hazardous Materials User	\$50	\$45
5. Remediation Discharge Permit	\$575	\$140
6. Remediation Permit	\$595	\$140
7. Hazardous Waste User	\$160	\$65
8. Hazardous Materials Storer Large Industry	\$510	\$235
9. Hazardous Materials Storer Small Industry	\$360	\$160
10. Hazardous Materials Storer Large Retail	\$430	\$170
11. Hazardous Materials Storer Small Retail	\$305	\$140
12. Hazardous Waste Storer Large Industry	\$160	\$65
13. Hazardous Waste Storer Small Industry	\$60	\$45
14. Hazardous Waste Storer Retail	\$60	\$45

**HAZARDOUS MATERIALS CONTROL PERMIT
LIST OF CONDITIONS:
ENDLESS SUMMER CORVETTE RESTORATION
7 QUARRY ROAD
ACTON, MA 01720**

Pursuant to the authority of Chapter I - Hazardous Materials Control Bylaw - of the Town of Acton's General Bylaws, the Board of Health has considered your application and plans submitted therewith, and has determined that the materials to be stored, used or generated, are within the scope of said bylaw. The Board of Health hereby orders that the following conditions are necessary and all storage, use or generation must be performed in strict conformance herewith:

1. All liquid Hazardous Materials and Wastes shall be stored in a containment area capable of containing 110% of the largest volume stored in the containment area.
2. All Materials Safety Data Sheets (MSDSs) for the Hazardous Materials shall be maintained on site. MSDSs shall be reviewed with employees at the time of their employment and on an annual basis thereafter. MSDS must be made available to all employees upon request.
3. A Contingency Plan, including emergency contact numbers (Telephone numbers of owner, operator, etc.) and a sketch showing clearly all Hazardous Material and Waste locations shall be submitted and updated annually, to the Board of Health, Fire Department, Police Department, and Civil Defense.
4. Emergency procedures and local Emergency Response Telephone Numbers (Health, Fire, Police, D.E.P., Civil Defense, etc.) should a spill occur, shall be posted in clear view of all employees where Hazardous Materials or Wastes are used or stored.
5. All Hazardous Wastes must be disposed of by a Licensed, D.E.P. approved, hauler or be recycled on site.
6. Copies of either all invoices or manifests for any Hazardous Materials or Wastes, received or disposed, shall be submitted to the Board of Health annually.
7. All Hazardous Materials Containers shall be labeled and dated when filling first began.
8. Speedy Dry, or its equivalent, shall be kept in the storage area, in case of a Hazardous Materials or Wastes spill.
10. All floor drains shall be sealed or discharged into a closed system, with the waste disposed of by a D.E.P. approved Hazardous Waste Hauler.
11. Protective equipment, including chemical resistant gloves, eye goggles and (rubber) boots, in addition to soap and water, shall be made available to all employees, at all times, in any Hazardous Materials or Waste storage or use area.
12. No Hazardous Materials or Wastes shall be discharged into a sink or toilet.
14. A fire extinguisher, containing an appropriate fire extinguishing agent, shall be placed in the Hazardous Materials Storage area.
15. No food or drink shall be stored or consumed in any area where Hazardous Materials are stored or used.

18. D.E.P. Generator Registration shall be provided annually upon renewal of the Hazardous Materials Storage Permit.
21. Gas cylinders shall not be rolled, even for short distances. They shall be moved by a suitable hand truck, in accordance with an OSHA standard that applies.
25. Prior to any new chemical or processes being used, the Board of Health shall be notified.
26. The operation of this facility shall be in compliance with all present and future regulations of E.P.A. and D.E.P. at all times. Nothing in this permit allows or requires non-compliance with all present and future applicable laws or regulations of the Federal or State Governments.